

**TOWNSHIP OF MANSFIELD
PLANNING BOARD
REGULAR MEETING
Tuesday, December 27, 2016**

The Regular Meeting of the Mansfield Township, Planning Board was held on the above shown date with the following in attendance: Chairman Scott Preidel, Vice Chairman Doug Borgstrom, John Kampo, Gary Lippincott, Barry Winn, Alan Abramowitz, Planner Barbara Fegley, Attorney Charles Petrone, and Secretary Ashley Jolly. Robert Semptimphelter, Arthur Puglia, and Randy Allen were absent.

The meeting was called to order by Chairman Preidel followed by the flag salute and the following opening statement:

The Notice requirements provided for in the Open Public meetings Act have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by the Mansfield Township Planning Board on January 25, 2016. Said Resolution was published in the Burlington County Times, e-mailed to the Burlington County Times, and Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body, and mailed to each person who has requested copies of the regular meeting schedule and who has prepaid any charge fixed for such service. All the mailing, posting and filing having been accomplished on January 29, 2016.

PRELIMINARY INVESTIGATION:

Attorney Petrone said that there were a few jurisdictional requirements that had to be met. One was the publication of the notice which had to be published once each week for two consecutive weeks, and second was that all the property owners of record and persons of interest were notified at least 10 days prior to the meeting. **Secretary Ashley Jolly** said yes.

Planner Fegley was sworn in. She displayed the maps that were included in the study area, including Route 206 from Mansfield Road West and White Pine Road and over to lot 4.02 which is over in wetlands. Zoning of the area is Highway Commercial and Light Industrial. She handed out another list to the members which was highlighted in pink showing the properties that were clearly meeting the statutory criteria. There is also S3 which means that the properties can be included in the redevelopment area just for the generality of the area. Instead of leaving certain properties out it may be easier to include them.

Planner Fegley said that the report included different tables and maps used to assist in making the determination; in addition to making site visits and information from the township. She said the Township Committee determined the area to be studied and directed the Planning Board to study these specific lots and blocks. Burlington County was involved in developed the list as well. As far as the relationship to the master plan there were no zoning changes to this specific area. The master plan wants this area to be highway commercial and light industrial and same with the Burlington County preservation plan.

Planner Fegley said the benefits of redevelopment are that there is different initiatives and tools that can help. Most of the projects moving forward are projects in a redevelopment areas. There can be payment in lieu of taxes or bonds that are available that the developer can get in order to make the development work with the constraints that the property has. The criteria for determining an area in need of redevelopment is referred to as the A-H criteria. We cannot use smart growth by itself so it's really A-F

that is used in addition to the generality of the area. If you have small undersized lot in C-2 you would put them in a redevelopment area so they meet the criteria.

Planner Fegley explained that this is a non-condemnation area. In 2013 the regulations changed. The criteria used is stricter for condemnation areas. A property cannot just be vacant to make it a condemnation area. She asked the board if they wanted her to go through every single parcel. She said there are some properties like Jeff's Tires, which is relatively new development and the brick layers as well as the shopping center which has two sites. If the board wants to they can say let's put the whole study area in the redevelopment area.

The board did not want Planner Fegley to go through each property. **Vice Chairman Borgstrom** asked if MLC Developers property (Block 3 Lot 6.01, 6.02) is it beneficial for the property owner to be included in the redevelopment area. **Planner Fegley** said if they wanted to do something else on the property, or if they need to refinance to do improvements that would be a benefit for them. **Attorney Petrone** said if you add those parcels that are in the midst of larger vacant land it could be beneficial and it doesn't prevent further redevelopment if they are not included now. **Planner Fegley** said that once you declare it a redevelopment zone, you can then do a redevelopment plan and you get into the specifics.

Mr. Borgstrom said he'd like to include those areas into the redevelopment zone because of their locations. **Attorney Petrone** said this is specifically non-condemnation that is the municipality cannot use its power of eminent domain to acquire this property for redevelopment purposes. **Gary Lippincott** said MLC will not be affected by this correct? They are approved to build two more in the back. **Planner Fegley** said they can still go ahead with their approved plans. **Chairman Priedel** asked if this would change the Ordinances in any way for these specific sites. **Planner Fegley** said the act of making it a redevelopment area doesn't necessarily do that, but before a site can be developed it has to have a redevelopment plan, which could change an ordinance but hopefully to the benefit to the redeveloper.

RESOLUTION NO. 2016-12-17

RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF MANSFIELD UNDERTAKING A PRELIMINARY INVESTIGATION OF CERTAIN PARCELS LOCATED IN THE TOWNSHIP AND DETERMINING WHETHER SUCH PARCELS SATISFY THE CRITERIA AS "AREAS IN NEED OF NON-CONDEMNATION REDEVELOPMENT" AS SET FORTH IN THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A.

40A:12A

WHEREAS, the Township of Mansfield, is authorized by the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"), to determine whether certain parcels of land in the Township constitute areas in need of non-condemnation redevelopment;

WHEREAS, the Township has established a general boundary area within the Township that merits evaluation to determine if the parcels located in this area would qualify as Areas in Need of Non-Condensation Redevelopment under the Act; and

WHEREAS, by its Resolution No. 2016-11-10, the Township Committee has authorized and directed the Planning Board to perform a preliminary investigation of certain parcels (the "Study Area") located in the Township to determine whether such parcels would satisfy the criteria as set forth in the Act, including N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3, to be designated as an Area in Need of Non-Condensation Redevelopment under the Act; and

WHEREAS, the Planning Board has performed a preliminary investigation of the Study Area parcels identified by the Township Committee in order to determine whether such parcels would qualify as Areas in Need of Non-Condensation Redevelopment under the Act; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Mansfield as follows:

1. **PRELIMINARY INVESTIGATION OF STUDY AREA.** The Planning Board of the Township of Mansfield has conducted an investigation pursuant to N.J.S.A. 40A:12A-6 and has determined that certain

parcels in the Study Area do satisfy the criteria set forth in the Act, including N.J.S.A. 40A:12A-3 and N.J.S.A. 40A:12A-5, to be designated as an Area in Need of Non-Condensation Redevelopment.

2. **MAP TO BE PREPARED.** The Planning Board has prepared a map showing the boundaries of the proposed Non-Condensation Redevelopment Areas and the location of the various parcels contained therein.

3. **PUBLIC HEARING.** On December 27, 2016, the Planning Board, after giving due notice of the proposed boundaries of the Study Area and the date of the Public Hearing to any persons who are interested in or would be affected by a determination that all or a portion of the parcels of land within the Study Area is a non-condensation redevelopment area, held a Public Hearing and heard from all persons interested in or would be affected by a determination that all or a portion of the Study Area is a non-condensation redevelopment area. All objections to the determination by the Planning Board have been received and considered by the Planning Board and are made part of the public record.

4. **PLANNING BOARD RECOMMENDATIONS.** After conducting its investigation, preparing a map and conducting a public hearing at which all objections to the designations have been received and considered, recommends that the Township Committee include those parcels identified in the December 8, 2016 "Preliminary Investigation For the Determination of an Area in Need of Non-Condensation Redevelopment Block 3, Lots 3.01, 3.02, 4, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9, 10.01 and Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02, 11, Mansfield Township, NJ" prepared by Barbara J. Fegley, AICP, PP, Environmental Resolutions, Inc. (attached hereto as Exhibit A), as Areas in Need of Non-Condensation Redevelopment.

5. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

6. **AVAILABILITY OF THIS RESOLUTION.** A copy of this Resolution shall be available for public inspection at the Office of the Planning Board of the Township of Mansfield.

7. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

A motion to approve the above resolution including the properties on the sheet that were not highlighted was offered by **Mr. Borgstrom** and was seconded by **Mr. Kampo**.

AYE: Lippincott, Kampo, Winn, Abramowitz, Borgstrom, Preidel

NAY: None ABSTAIN: None ABSENT: Semptimphelter, Puglia, Allen

APPROVAL OF MINUTES:

Executive minutes from November 28, 2016; approved, all ayes.

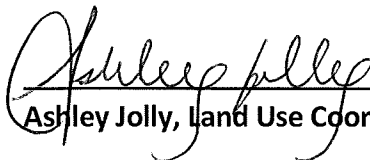
Regular minutes from November 28, 2016; approved, all ayes.

ADJOURNMENT:

A motion to adjourn the meeting was offered by **Mr. Kampo** and seconded by **Mr. Lippincott**. All Ayes. Motion carried.

Respectfully Submitted:

Date Approved:


Ashley Jolly, Land Use Coordinator

1-23-17